REMARKS

The claims have been amended by rewriting claims 1 and 8, and canceling claims 2 and 9. Claims 1, 3-8, 10-16 remain in the application.

Reconsideration of this application is respectfully requested.

Claim Rejections - 35 U.S.C. § 103:

Claims1-3 and 7-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Fumarolo et al. '844 in view of Mysore '558.

Applicant has amended independent claims 1 and 8 to include the subject matter of claims 2 and 9, respectively.

Applicant has disclosed a method by which users of dispatch type communication services can dynamically group others together to create talk groups. Conventionally this is done by the operator of the communication service, who creates a communication resource known as a talk group, which has a static group of users associated with the talk group. The users can be changed by the communication service operator by changing the record in the communication equipment.

Examiner relies on Mysore as disclosing a method for providing dispatch service to dispatch clients via a packet switched network. Applicant agrees to the extent that dispatch *clients* are being serviced in Mysore via IP packet switched networks. However, Examiner contends Mysore's dispatch clients makes obvious communication with Applicant's claimed radios via IP packet switching. Applicant disagrees. Mysore, discloses mobile radios in FIG. 1, element 122. This mobile radio is equivalent to Applicant's claimed radios. However, Mysore does not suggest that IP packet switching may be used to communicate with mobile wireless communication unit 122. In fact, Mysore states that it is preferable that the interface to the device 122 is a standard "iDEN" air interface. Applicant submits that Mysore is teaching away from using packet switched communication with the mobile wireless communication unit, and therefore does not render Applicant's use of IP packet switching to communication with radios obvious.

Applicant has amended independent claims 1 and 8 to include the limitation that the originating device is a radio in the communication system, as claimed in claims 2 and 9. As

described in reference to FIG. 1, the radios are mobile radios in the communication system, such as radios 120 – 122. Examiner contends, the subject matter of claims 2 and 9 were disclosed by Fumarolo. Applicant disagrees. Applicant finds Fumarolo to disclose the use of a display-based terminal 101, which displays a map to a user of the terminal for creating a dynamic talk group. The terminal is a fixed equipment coupled to wireless infrastructure 103. This is quite different than Applicant's claimed radio as dynamic call originator. Fumarolo discloses radios 11-113, but does not suggest that any of them could be call originators, or used to determine the dynamic call group membership. Therefore Applicant submits Fumarolo does not render obvious Applicant's claims having a limitation of the radio being the call originator.

Claims 4-6 and 12-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Fumarolo et al. '844 in view of Mysore '558 and further in view of Grube '199.

Applicant believes these claims now depend of allowable claims 1, 8 respectively.

Accordingly, this application is believed to be in proper form for allowance and an early notice of allowance is respectfully requested.

Please charge any fees associated herewith, including extension of time fees, to 50-2117.

Respectfully submitted,

By: _____

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AS AMENDED

IN THE CLAIMS:

Amend the claims as follows:

1. (Once Amended) A method for establishing a dynamic talk group in a radio communication system having a plurality of radios each having a unique Internet Protocol (IP) address, comprising the steps of:

(d) selecting a set of target radios from amongst the plurality of radios by a dynamic group call originator, the dynamic group call originator being a radio located in the radio communication system;

(e) transmitting a message from the dynamic group call originator to each of the set of target radios whose IP addresses match those radios selected in step (a); and

(f) causing the target radios and the dynamic group call originator to establish a dynamic talk group where the dynamic group call will take place.

8. (Once Amended) A method for establishing a dynamic talk group in a radio communication system having a plurality of radios each having a unique Internet Protocol (IP) address, comprising the steps of:

(e) selecting a first target radio and a second target radio from amongst the plurality of radios by a dynamic group call originator, the dynamic group call originator being a communication device coupled to the radio communication system;

(f) transmitting a first message including the first target radio's IP address from the dynamic group call originator to the first target radio and a second message including the second target radio's IP address from the dynamic group call originator to the second target radio; and

(g) causing the first and second target radios and the dynamic group call originator to establish a dynamic talk group where a dynamic group call will take place once the dynamic group call originator has transmitted the first and second messages.